

By: Representatives Hines, Anthony, Bailey

To: Appropriations

HOUSE BILL NO. 788

1 AN ACT MAKING AN APPROPRIATION TO THE BLACK BAYOU WATER
2 ASSOCIATION FOR THE PURPOSE OF ASSISTING THE ASSOCIATION IN PAYING
3 COSTS ASSOCIATED WITH CERTAIN WATER SYSTEM AND DISTRIBUTION SYSTEM
4 IMPROVEMENTS IN WASHINGTON, ISSAQUENA, AND BOLIVAR COUNTIES, FOR
5 THE FISCAL YEAR 2023.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** The following sum, or so much of it as may be
8 necessary, is appropriated out of any money in the State General
9 Fund not otherwise appropriated, to the Black Bayou Water
10 Association, for the purpose of assisting the association in
11 paying costs associated with water system improvements for removal
12 of organic material from well water, distribution system
13 improvements, service pumps, well motors and other equipment, and
14 other related improvements to protect the health, safety and
15 welfare of residents in Washington, Issaquena, and Bolivar
16 Counties, and meet compliance with Mississippi State Department of
17 Health requirements, for the fiscal year beginning July 1, 2022,
18 and ending June 30, 2023.....\$ 14,100,000.00.



19 **SECTION 2.** The money appropriated by this act shall be paid
20 by the State Treasurer out of any money in the State General Fund
21 not otherwise appropriated, upon warrants issued by the State
22 Fiscal Officer; and the State Fiscal Officer shall issue his or
23 her warrants upon requisitions signed by the proper person,
24 officer or officers in the manner provided by law.

25 **SECTION 3.** (1) As used in this section and Section 4 of
26 this act, the term "association" means the Black Bayou Water
27 Association.

28 (2) The association shall not disburse any funds
29 appropriated under this act to any recipient without first: (a)
30 making an individualized determination that the reimbursement
31 sought is, in the association's independent judgment, for
32 necessary expenditures eligible under Section 602 of the federal
33 Social Security Act as added by Section 9901 of the federal
34 American Rescue Plan Act of 2021 (ARPA) and its implementing
35 guidelines, guidance, rules, regulations and/or other criteria, as
36 may be amended or supplemented from time to time, by the United
37 States Department of the Treasury; and (b) determining that the
38 recipient has not received and will not receive reimbursement for
39 the expense in question from any source of funds, including
40 insurance proceeds, other than those funds provided under Section
41 602 of the federal Social Security Act as added by Section 9901 of
42 ARPA. In addition, the association shall ensure that all funds
43 appropriated under this act are disbursed in compliance with the



44 Single Audit Act (31 USCS Sections 7501-7507) and the related
45 provisions of the Uniform Guidance, 2 CFR Section 200.303
46 regarding internal controls, Sections 200.330 through 200.332
47 regarding sub-recipient monitoring and management, and subpart F
48 regarding audit requirements.

49 **SECTION 4.** (1) As a condition of receiving and expending
50 the funds appropriated to the association under this act, the
51 association shall certify to the Department of Finance and
52 Administration that each expenditure of the funds appropriated to
53 the association under this act complies with the guidelines,
54 guidance, rules, regulations and/or other criteria, as may be
55 amended from time to time, of the United States Department of the
56 Treasury regarding the use of monies from the Coronavirus State
57 Fiscal Recovery Fund established by ARPA.

58 (2) If the Office of Inspector General of the United States
59 Department of the Treasury, or the Office of Inspector General of
60 any other federal agency having oversight over the use of monies
61 from the Coronavirus State Fiscal Recovery Fund established by
62 ARPA (a) determines that the association or recipient has expended
63 or otherwise used any of the funds appropriated to the association
64 under this act for any purpose that is not in compliance with the
65 guidelines, guidance, rules, regulations and/or other criteria, as
66 may be amended from time to time, of the United States Department
67 of the Treasury regarding the use of monies from the Coronavirus
68 State Fiscal Recovery Fund established by ARPA, and (b) the State



69 of Mississippi is required to repay the federal government for any
70 of those funds that the Office of the Inspector General determined
71 were expended or otherwise used improperly by the association or
72 recipient, then the association or recipient that expended or
73 otherwise used those funds improperly shall be required to pay the
74 amount of those funds to the State of Mississippi for repayment to
75 the federal government.

76 **SECTION 5.** The money appropriated by this act shall be paid
77 by the State Treasurer out of any money in the Coronavirus State
78 Fiscal Recovery Fund not otherwise appropriated, upon warrants
79 issued by the State Fiscal Officer; and the State Fiscal Officer
80 shall issue his or her warrants upon requisitions signed by the
81 proper person, officer or officers in the manner provided by law.

82 **SECTION 6.** This act shall take effect and be in force from
83 and after July 1, 2022.

